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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,347	02/01/2001	Yechiam Yemini	18704-017	7197

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EXAMINER

VAUGHN JR, WILLIAM C

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/775,347

Applicant(s)

YEMINI ET AL.

Examiner

William C. Vaughn, Jr.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/16/05, 12/14/04, 10/28/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Action is in regards to the Amendment and Response received on 22 March 2005.

Response to Arguments

2. Applicant's arguments and amendments filed on 22 March 2005 have been carefully considered but they are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the following new grounds of rejection as explained here below, necessitated by Applicant's substantial amendment (i.e., *non adjacent node being determined... assigned to said first node ... assigned to said second node*) to the claims which significantly affected the scope thereof.

3. The Examiner also acknowledges the Terminal Disclaimer received on 22 March 2005.

Information Disclosure Statement

4. The references listed in the Information Disclosure Statement submitted on 28 October 2004, 14 December 2004 and 16 March 2005 have been considered by the examiner (see attached PTO-1449).
5. The application has been examined. **Claims 1-40** are pending. The objection(s) and rejection(s) cited are as stated below:

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2143

7. Claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jenson et al. (Jenson), U.S. Patent No. 5,870,564 in view of Yamazaki, U.S. Patent No. 5,655,134 and in further view of Ogier et al. (Ogier), U.S. PG PUB 2002/00123220.

8. Regarding independent claims 1, 15, 31 and 36, (e.g., exemplary independent claim 1), Jenson discloses the invention substantially as claimed. Jenson discloses a network comprising a plurality of nodes interconnected by links [see Jenson, Figure 1, items 140, 142, 144, Col. 13, lines 65-67], (a) each node is assigned a set of one or more coordinate labels, [see Jenson, Col. 54-67] (b) at least one of said set of one or more coordinate labels is additionally comprised of service information [see Jenson, Col. 3, lines 45-54]. However, Jenson does not explicitly disclose reach representing a path comprising one or more links or other nodes as well as each coordinate label is unique to the node to which it is assigned and (d) a path between a first node being determined from one of said coordinate labels associated with said first node and one of said coordinate labels associated with said second node.

9. In the same field of endeavor, Yamazaki discloses (e.g., network structure storing and retrieval method for a data processor). Yamazaki discloses each representing a path comprising one or more links or other nodes [see Yamazaki, Col. 8, lines 12-39, Figure 2a-4, 3, 4, 5a-f, 6a-1] (c) each coordinate label is unique to the node to which it is assigned [see Yamazaki, abstract], and (d) a path between a first node being determined from one of said coordinate labels associated with said first node and one of said coordinate labels associated with said second node [see Yamazaki, Col. 2, lines 40-46, Col. 3, lines 55-64 and Col. 4, lines 5-26].

10. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Yamazaki's teachings of a network

Art Unit: 2143

structure storing and retrieval method for a data processor with the teachings of Jenson's for the purpose of being able to automatically assign link identifiers to each link connecting respective nodes [see Yamazaki, Col. 2, lines 42-54]. However, Jenson-Yamazaki does not explicitly disclose non-adjacent nodes.

11. In the same field of endeavor, Ogier discloses (e.g., mobile ad hoc extensions). Ogier discloses non-adjacent nodes [see Ogier, section 0263].

12. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Ogier's teachings of mobile ad routing multicast data communications with the teachings of Jenson-Yamazaki, for the purpose of a mobile wireless network that can perform reliably and efficiently [see Ogier, Col. 2, section 0012]. By this rationale claim 1 is rejected.

13. Regarding claims 2-14, the limitations of these claims are taught within the figures and specification of Jenson-Yamazaki and Ogier. Furthermore, with regards to the limitation of service information including bandwidth for at least one of said one or more links [see Jenson, Col. 3, lines 45-53 and Col. 4, lines 1-56] and a cost metric information [see Jenson, Col. 3, lines 45-53], load information [see Jenson, Col. 4, lines 1-5].

Claim Rejections - 35 USC § 103

14. Claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jenson et al. (Jenson), U.S. Patent No. 5,870,564 in view of Yamazaki, U.S. Patent No. 5,655,134 and in further view of Aggarwal et al. (Aggarwal), U.S. Patent No. 6,717,921.

Art Unit: 2143

15. Regarding independent claims 1, 15, 31 and 36, (e.g., exemplary independent claim 1), Jenson discloses the invention substantially as claimed. Jenson discloses a network comprising a plurality of nodes interconnected by links [see Jenson, Figure 1, items 140, 142, 144, Col. 13, lines 65-67], (a) each node is assigned a set of one or more coordinate labels, [see Jenson, Col. 54-67] (b) at least one of said set of one or more coordinate labels is additionally comprised of service information [see Jenson, Col. 3, lines 45-54]. However, Jenson does explicitly disclose reach representing a path comprising one or more links or other nodes as well as each coordinate label is unique to the node to which it is assigned and (d) a path between a first node being determined from one of said coordinate labels associated with said first node and one of said coordinate labels associated with said second node.

16. In the same field of endeavor, Yamazaki discloses (e.g., network structure storing and retrieval method for a data processor). Yamazaki discloses each representing a path comprising one or more links or other nodes [see Yamazaki, Col. 8, lines 12-39, Figure 2a-4, 3, 4, 5a-f, 6a-1] (c) each coordinate label is unique to the node to which it is assigned [see Yamazaki, abstract], and (d) a path between a first node being determined from one of said coordinate labels associated with said first node and one of said coordinate labels associated with said second node [see Yamazaki, Col. 2, lines 40-46, Col. 3, lines 55-64 and Col. 4, lines 5-26].

17. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Yamazaki's teachings of a network structure storing and retrieval method for a data processor with the teachings of Jenson's for the purpose of being able to automatically assign link identifiers to each link connecting respective

Art Unit: 2143

nodes [see Yamazaki, Col. 2, lines 42-54]. However, Jenson-Yamazaki does not explicitly disclose non-adjacent nodes.

18. In the same field of endeavor, Aggarwal discloses (e.g., routing multicast data communications). Aggarwal discloses non-adjacent nodes (Aggarwal teaches each node that is not received a permanent label is identified and maximum end-to-end delay is incurred on a path between non-adjacent nodes), [see Aggarwal, Col. 4, lines 65-67, Col. 5, lines 1-9 and Col. 6, lines 38-50].

19. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Aggarwal's teachings of routing multicast data communications with the teachings of Jenson-Yamazaki, for the purpose of coordinate labels regarding non-adjacent nodes. By this rationale claim 1 is rejected.

20. Regarding claims 2-14, the limitations of these claims are taught within the figures and specification of Jenson-Yamazaki and Aggarwal. Furthermore, with regards to the limitation of service information including bandwidth for at least one of said one or more links [see Jenson, Col. 3, lines 45-53 and Col. 4, lines 1-56] and a cost metric information [see Jenson, Col. 3, lines 45-53], load information [see Jenson, Col. 4, lines 1-5].

Conclusion

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

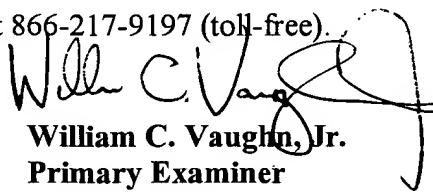
Art Unit: 2143

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Vaughn, Jr. whose telephone number is (571) 272-3922. The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


William C. Vaughn, Jr.
Primary Examiner
Art Unit 2143
12 June 2005

WCV